

section 98 of this title] shall become effective October 1, 1981”.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 98 of this title.

§ 95. Prohibition of acts deemed injurious to commerce in naval stores

The following acts are hereby declared injurious to commerce in naval stores and are hereby prohibited and made unlawful:

(a) The sale in commerce of any naval stores, or of anything offered as such, except under or by reference to United States standards.

(b) The sale of any naval stores under or by reference to United States standards which is other than what it is represented to be.

(c) The use in commerce of the word “turpentine” or the word “rosin,” singly or with any other word or words, or of any compound, derivative, or imitation of either such word, or of any misleading word, or of any word, combination of words, letter, or combination of letters, provided herein or by the Secretary of Agriculture to be used to designate naval stores of any kind or grade, in selling, offering for sale, advertising, or shipping anything other than naval stores of the United States standards.

(d) The use in commerce of any false, misleading, or deceitful means or practice in the sale of naval stores or of anything offered as such.

(Mar. 3, 1923, ch. 217, § 5, 42 Stat. 1436.)

CROSS REFERENCES

Punishment for violating the provisions of this section, see section 96 of this title.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 96 of this title.

§ 96. Punishment for violation of prohibition

Any person willfully violating any provision of section 95 of this title shall, on conviction, be punished for each offense by a fine not exceeding \$5,000 or by imprisonment for not exceeding one year, or both.

(Mar. 3, 1923, ch. 217, § 6, 42 Stat. 1436.)

§ 97. Purchase and analysis by Secretary of samples of spirits of turpentine to detect violations; reports to Department of Justice; publication of results of analysis, etc.

The Secretary of Agriculture is hereby authorized to purchase from time to time in open market samples of spirits of turpentine and of anything offered for sale as such for the purpose of analysis, classification, or grading and of detecting any violation of this chapter. He shall report to the Department of Justice for appropriate action any violation of this chapter coming to his knowledge. He is also authorized to publish from time to time results of any analysis, classification, or grading of spirits of turpentine and of anything offered for sale as such made by him under any provision of this chapter.

(Mar. 3, 1923, ch. 217, § 7, 42 Stat. 1436.)

§ 98. Fees and charges for naval stores inspection and related services; establishment, collection, etc.; authorization of appropriations; administrative expenses

(a) The Secretary of Agriculture shall fix and cause to be collected fees and charges for the establishment of standards under section 93 of this title and for examinations, analyses, classifications, and other services under section 94 of this title which shall cover, as nearly as practicable, the costs of providing such services and standards as the Secretary shall deem necessary, including administrative and supervisory costs. Such fees and charges, when collected, shall be credited to the current appropriation account that incurs such costs and shall be available without fiscal year limitation to pay the expenses of the Secretary incident to providing such services and standards under this chapter. Fees and charges shall be assessed and collected from processors and warehousemen of naval stores, and inspection and related services shall be suspended or denied to any such processor or warehouseman upon failure to timely pay the fees and charges assessed.

(b) There are hereby authorized to be appropriated such sums as may be necessary for the enforcement and administration of this chapter.

(Mar. 3, 1923, ch. 217, § 8, 42 Stat. 1436; Aug. 13, 1981, Pub. L. 97-35, title I, § 159(a)(2), 95 Stat. 376.)

AMENDMENTS

1981—Pub. L. 97-35 added subsec. (a). Former unlettered provisions were designated subsec. (b) and, as so designated, struck out authorization of the Secretary to employ personnel and make administrative expenditures.

EFFECTIVE DATE OF 1981 AMENDMENT

Amendment by Pub. L. 97-35 effective Oct. 1, 1981, see section 159(b) of Pub. L. 97-35, set out as a note under section 94 of this title.

§ 99. Separability

If any provision of this chapter or the application thereof to any person or circumstances is held invalid, the validity of the remainder of the chapter and of the application of such provisions to other persons and circumstances shall not be affected thereby.

(Mar. 3, 1923, ch. 217, § 9, 42 Stat. 1437.)

CHAPTER 5—IMPORTATION OF ADULTERATED SEEDS

§§ 111 to 116. Repealed. Aug. 9, 1939, ch. 615, § 419, 53 Stat. 1290

Sections, act Aug. 24, 1912, ch. 382, §§ 1-6, 37 Stat. 506, related to regulation of foreign commerce by prohibiting admission into United States of adulterated grain and seeds. See section 1551 et seq. of this title.

Section 111 amended by acts Aug. 11, 1916, ch. 313, 39 Stat. 453; Apr. 26, 1926, ch. 186, § 1, 44 Stat. 325.

Section 113 amended by act Aug. 11, 1916, ch. 313, 39 Stat. 453.

Sections 115 and 116 amended by act Apr. 26, 1926, ch. 186, § 2, 44 Stat. 325.

EFFECTIVE DATE OF REPEAL; EXCEPTIONS

Repeal effective on the one hundred and eightieth day after Aug. 9, 1939, except that notices with respect to

imported alfalfa and red clover seed promulgated by the Secretary of Agriculture under authority of former sections 111 to 116 of this title, which were in effect Aug. 9, 1939, remained in full force and effect as if promulgated under sections 1551 to 1610 of this title.

CHAPTER 6—INSECTICIDES AND ENVIRONMENTAL PESTICIDE CONTROL

SUBCHAPTER I—INSECTICIDES

Sec.
121 to 134. Repealed.

SUBCHAPTER II—ENVIRONMENTAL PESTICIDE CONTROL

135 to 135k. Omitted.

136. Definitions.

- (a) Active ingredient.
- (b) Administrator.
- (c) Adulterated.
- (d) Animal.
- (e) Certified applicator, etc.
- (f) Defoliant.
- (g) Desiccant.
- (h) Device.
- (i) District court.
- (j) Environment.
- (k) Fungus.
- (l) Imminent hazard.
- (m) Inert ingredient.
- (n) Ingredient statement.
- (o) Insect.
- (p) Label and labeling.
- (q) Misbranded.
- (r) Nematode.
- (s) Person.
- (t) Pest.
- (u) Pesticide.
- (v) Plant regulator.
- (w) Producer and produce.
- (x) Protect health and the environment.
- (y) Registrant.
- (z) Registration.
- (aa) State.
- (bb) Unreasonable adverse effects on the environment.
- (cc) Weed.
- (dd) Establishment.
- (ee) To use any registered pesticide in a manner inconsistent with its labeling.
- (ff) Outstanding data requirement.
- (gg) To distribute or sell.
- (hh) Nitrogen stabilizer.
- (jj) Maintenance applicator.
- (kk) Service technician.
- (ll) Minor use.
- (mm) Antimicrobial pesticide.
- (nn) Public health pesticide.
- (oo) Vector.

136a. Registration of pesticides.

- (a) Requirement of registration.
- (b) Exemptions.
- (c) Procedure for registration.
- (d) Classification of pesticides.
- (e) Products with same formulation and claims.
- (f) Miscellaneous.
- (g) Registration review.
- (h) Registration requirements for antimicrobial pesticides.

136a-1. Reregistration of registered pesticides.

- (a) General rule.
- (b) Reregistration phases.
- (c) Phase one.
- (d) Phase two.
- (e) Phase three.
- (f) Phase four.
- (g) Phase five.

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- (h) Compensation of data submitter.
- (i) Fees.
- (j) Exemption of certain registrants.
- (k) Reregistration and expedited processing fund.
- (l) Performance measures and goals.
- (m) Judicial review.
- (n) Authorization of funds to develop public health data.

136b. Transferred.

136c. Experimental use permits.

- (a) Issuance.
- (b) Temporary tolerance level.
- (c) Use under permit.
- (d) Studies.
- (e) Revocation.
- (f) State issuance of permits.
- (g) Exemption for agricultural research agencies.

136d. Administrative review; suspension.

- (a) Existing stocks and information.
- (b) Cancellation and change in classification.
- (c) Suspension.
- (d) Public hearings and scientific review.
- (e) Conditional registration.
- (f) General provisions.
- (g) Notice for stored pesticides with canceled or suspended registrations.
- (h) Judicial review.

136e. Registration of establishments.

- (a) Requirement.
- (b) Registration.
- (c) Information required.
- (d) Confidential records and information.

136f. Books and records.

- (a) Requirements.
- (b) Inspection.

136g. Inspection of establishments, etc.

- (a) In general.
- (b) Warrants.
- (c) Enforcement.

136h. Protection of trade secrets and other information.

- (a) In general.
- (b) Disclosure.
- (c) Disputes.
- (d) Limitations.
- (e) Disclosure to contractors.
- (f) Penalty for disclosure by Federal employees.
- (g) Disclosure to foreign and multinational pesticide producers.

136i. Use of restricted use pesticides; applicators.

- (a) Certification procedure.
- (b) State plans.
- (c) Instruction in integrated pest management techniques.
- (d) In general.
- (e) Separate standards.

136i-1. Pesticide recordkeeping.

- (a) Requirements.
- (b) Access.
- (c) Health care personnel.
- (d) Penalty.
- (e) Federal or State provisions.
- (f) Surveys and reports.
- (g) Regulations.

136i-2. Collection of pesticide use information.

- (a) In general.
- (b) Collection.
- (c) Coordination.

136j. Unlawful acts.

- (a) In general.
- (b) Exemptions.

136k. Stop sale, use, removal, and seizure.

- (a) Stop sale, etc., orders.
- (b) Seizure.
- (c) Disposition after condemnation.